

APPLICANT(S): ID DAN, Gavriel J. et al.  
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### **REMARKS**

The present Response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

#### **Status of Claims**

Claims 1-12, 14-15, 18, 24-29, 32-33, 36, 38-40, 43 and 45-48 are pending in this application and have been rejected.

Claims 1, 32 and 43 have been amended herein. Applicants assert that no new matter has been added by the claim amendments.

#### **35 U.S.C. § 103 Rejections**

In the final Office Action, the Examiner rejected claims 1, 3-4, 7, 10, 14, 24-25, 27, 29, 32, 36, 40, 43, 45 and 47-48 under 35 U.S.C. § 103(a) as being unpatentable over Meron et al. (U.S. Patent Application Publication No. 2002/0109774) in view of Dunne (U.S. Patent No. 6,626,834). Applicants respectfully traverse the rejection.

Meron et al. teach an imaging capsule having multiple lenses and mirrors to form multiple image paths so as to image in different directions of the capsule. The Examiner states that Meron et al. fail to teach an in vivo sensing system. Applicants point out that the device of Meron et al. has multiple fixed lenses and mirrors to form multiple fixed image paths that allow imaging in different directions of the capsule, such that the fields of view of the device of Meron et al. always stay the same.

Dunne teaches a scanning device that can make a volumetric scan of a conical scanning field as a result of being mounted along two rotational axes within the housing and being rotatable by electromagnet modulation. Applicants point out that the scanning device of Dunne is fixedly mounted about bearings 30a,30b and 32a,32b, so as to rotate about two generally perpendicular axes of rotation (see Dunne, at column 9, lines 50-58, and column 10, lines 26-37).

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Applicants have herein amended independent claims 1, 32 and 43 to recite that the at least one imaging device "is freely movable within the housing/outer covering in any rotational direction without being mounted to the housing/outer covering" and have herein amended independent claims 1 and 32 to recite that the friction reducing mechanism/liquid disposed between said housing/outer covering and said imaging device "permit[s] free movement of said imaging device within said housing/outer covering". These amendments find support in the specification as filed, for example at page 6, line 16 – page 7, line 2, and page 8, line 20 – page 9, line 13.

By contrast, Applicants' device is intended to allow the imaging device to be freely movable in any rotational direction within the housing, without being mounted to the housing, so as to allow images to be taken from almost any direction. As such, the field of view can be changed in order to acquire images from all different sides of the device.

Thus, Applicants assert that Meron et al. and Dunne, alone or in combination, do not teach or suggest a system wherein the device has an imaging device that is freely movable within the housing/outer covering in any rotational direction without being mounted to the housing/outer covering, as recited in amended independent claims 1, 32 and 43, and that has a friction reducing mechanism/liquid disposed between said housing/outer covering and said imaging device to permit free movement of said imaging device within said housing/outer covering, as recited in amended independent claims 1 and 32. Amended independent claims 1, 32 and 43 are therefore allowable. Dependent claims 3-4, 7, 10, 14, 24-25, 27, 29, 36, 40, 45 and 47-48 include all the limitations of one of amended independent claims 1, 32 and 43, and are therefore likewise allowable. Applicants therefore request that the Examiner withdraw the rejection of claims 1, 3-4, 7, 10, 14, 24-25, 27, 29, 32, 36, 40, 43, 45 and 47-48.

In the Office Action, the Examiner rejections claims 2, 6, 8-9, 18, 33 and 38-39 under 35 U.S.C. § 103(a) as being unpatentable over Meron et al. in view of Dunne and further in view of Kilcoyne et al. (U.S. Patent No. 6,285,897). Applicants respectfully traverse this rejection.

Applicants assert that Kilcoyne et al. do not solve the deficiencies of Meron et al. and Dunne, as discussed above with respect to amended independent claims 1 and 32, such that

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Meron et al., Dunne and Kilcoyne et al., alone or in combination, do not teach or suggest the system as recited in amended independent claims 1 and 32. Accordingly, amended independent claims 1 and 32 are allowable. Dependent claims 2, 6, 8-9, 18, 33 and 38-39 include all the limitations of one of amended independent claims 1 and 32 and are therefore likewise allowable. Applicants therefore request that the Examiner withdraw this rejection.

In the Office Action, the Examiner rejected claims 11-12, 26 and 28 under 35 U.S.C. § 103(a) as being unpatentable over Meron et al. in view of Dunne and further in view of Canton (U.S. Patent No. 6,145,393). Applicants respectfully traverse the rejection.

Applicants assert that Bucalo does not solve the deficiencies of Meron et al. and Dunne, as discussed above with respect to amended independent claim 1, such that Meron et al., Dunne and Canton, alone or in combination, do not teach or suggest the system as recited in amended independent claim 1. Accordingly, amended independent claim 1 is allowable. Dependent claim 4 includes all the limitations of amended independent claim 1 and is therefore likewise allowable. Applicants therefore request that the Examiner withdraw this rejection.

In the Office Action, the Examiner rejected claims 5, 18, 38 and 39 under 35 U.S.C. § 103(a) as being unpatentable over Meron et al. in view of Dunne and further in view of Kovacs et al. (U.S. Patent Number 5,833,603). Applicants respectfully traverse the rejection.

Applicants assert that Kovacs et al. et al. do not solve the deficiencies of Meron et al. and Dunne, as discussed above with respect to amended independent claims 1 and 32, such that Meron et al., Dunne and Kovacs et al., alone or in combination, do not teach or suggest the system as recited in amended independent claims 1 and 32. Accordingly, amended independent claims 1 and 32 are allowable. Dependent claims 5, 18, 38 and 39 include all the limitations of one of amended independent claims 1 and 32 and are therefore likewise allowable. Applicants therefore request that the Examiner withdraw this rejection.

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In the Office Action, the Examiner rejected claim 46 under 35 U.S.C. § 103(a) as being unpatentable over Meron et al. in view of Dunne and further in view of Mullick et al. (U.S. Patent Application Number 2003/0167000). Applicants respectfully traverse the rejection.

Applicants assert that Mullick et al. et al. do not solve the deficiencies of Meron et al. and Dunne, as discussed above with respect to amended independent claim 43, such that Meron et al., Dunne and Kovacs et al., alone or in combination, do not teach or suggest the system as recited in amended independent claim 43. Accordingly, amended independent claim 43 is allowable. Dependent claim 46 includes all the limitations of amended independent claim 43 and is therefore likewise allowable. Applicants therefore request that the Examiner withdraw this rejection.

In the Office Action, the Examiner rejected claim 15 under 35 U.S.C. § 103(a) as being unpatentable over Meron et al. in view of Dunne and further in view of Gross (U.S. Patent No. 5,318,557). Applicants respectfully traverse the rejection.

Applicants assert that Gross does not solve the deficiencies of Meron et al. and Dunne, as discussed above with respect to amended independent claim 1, such that Meron et al., Dunne and Gross, alone or in combination, do not teach or suggest the system as recited in amended independent claim 1. Accordingly, amended independent claim 1 is allowable. Dependent claim 15 includes all the limitations of amended independent claim 1 and is therefore likewise allowable. Applicants therefore request that the Examiner withdraw the rejection.

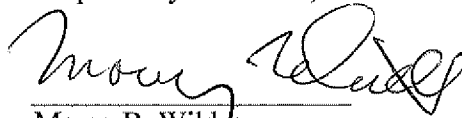
In view of the foregoing amendments and remarks, Applicants assert that the pending claims are allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, or if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to contact the undersigned at the telephone number below.

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Please charge any fees that are due to deposit account No. 50-3355.

Respectfully submitted,



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